

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONNELL COX,

Plaintiff,

v.

NORTH KERN STATE PRISON
OFFICIALS,

Defendant.

No. 1:21-cv-00860-NONE-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS RECOMMENDING
DISMISSAL OF ACTION, WITH
PREJUDICE, FOR FAILURE TO COMPLY
WITH FEDERAL RULE OF CIVIL
PROCEDURE 8 AND FAILURE TO STATE
A COGNIZABLE CLAIM

(Doc. No. 18)

Plaintiff Donnell Cox is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

On October 8, 2021, the assigned magistrate judge screened plaintiff's second amended complaint and issued findings and recommendations recommending that this action be dismissed due to plaintiff's failure to comply with Federal Rule of Civil Procedure 8 and failure to state a cognizable claim upon which relief may be granted. (Doc. No. 18.) Among other things, the findings and recommendations concluded that the allegations of plaintiff's second amended complaint had failed to sufficiently link any defendant to any potential constitutional violation. (*Id.* at 4.) The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen days after service. (*Id.* at 8.) Plaintiff has

not filed objections, and the deadline to do so has now passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly,

1. The findings and recommendations issued on October 8, 2021, (Doc. No. 18), are adopted in full;
2. This action is dismissed, with prejudice, due to plaintiff's failure to comply with Federal Rule of Civil Procedure 8 and failure to state a cognizable claim upon which relief may be granted; and
3. The Clerk of the Court is directed to assign a district judge to this case for the purpose of closing the case and then to close this case.

IT IS SO ORDERED.

Dated: **November 21, 2021**


UNITED STATES DISTRICT JUDGE